

ORDINANCE-O- 2009 - 87

A BILL FOR AN ORDINANCE REPEALING AND REENACTING CHAPTER 16.40 OF THE LONGMONT MUNICIPAL CODE, ADOPTING BY REFERENCE THE INTERNATIONAL EXISTING BUILDING CODE

THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Section 9 The International Existing Building Code Adopted

Chapter 16.40 of the Longmont Municipal Code is hereby repealed and reenacted to read as follows:

16.40.010 International Existing Building Code adopted

Pursuant to Part 2 of Article 16 of Title 31 CRS, as amended, and Article IV, Municipal Charter of the City of Longmont, Colorado, there is adopted as the conservation code of the City, by reference thereto, the International Existing Building Code 2009 Edition, including Resource Chapter A., published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478, that code to have the same force and effect as if set forth herein in every particular, save and except such portions as are deleted, modified, substituted, or amended in this chapter. The subject matter of the adopted code includes minimum standards applicable to existing structures in order to preserve and upgrade the inventory of such existing structures in the community in order to serve the public health, safety and general welfare. All references in this code to the International Existing Building Code are to the edition referenced above.

16.40.020 Copies--Filed for public inspection

At the time of adoption, one certified true copy of the International Existing Building Code, published by the International Code Council is on file in the office of the City Clerk and may be inspected by any interested person between the hours of eight a.m. and five p.m., Monday through Friday, holidays excepted. The city shall keep a copy of the adopted code in the office of the chief enforcement officer for public inspection. The

building code, as finally adopted, is available for sale at the office of the city clerk, at a price reflecting cost to the city as established by the city manager, pursuant to this municipal code.

16.40.030 Section 101.1 amended--Title

Section 101.1 of the International Existing Building Code is amended by insertion of “the City of Longmont” in the brackets.

16.40.040 Section 101.2 amended--Scope

Section 101.2 of the International Existing Building Code is amended by the addition of the following:

All residential dwelling units must be equipped with smoke detection per Section 907 and carbon monoxide detection per Section 310.1.1 of the International Building Code as amended.

16.40.050 Section 101.3 amended--Intent

Section 101.3 of the International Existing Building Code is amended by the addition of the following:

Relocated building provisions shall apply to relocated or moved buildings. A pre-move inspection by the City of Longmont Building Inspection Division and a performance bond by the contractor are required prior to the building being moved.

16.40.060 Section 106.3 amended--Approval of construction documents

Section 106.3 of the International Existing Building Code is amended by replacing the first sentence to read as follows:

When the building official issues a permit, the construction documents shall be approved, in writing or by a stamp which states “APPROVED PLANS”.

16.40.070 Section 112 replaced--Board of Appeals

Section 112 of the International Existing Building Code is deleted in its entirety and replaced with the following:

For provisions relating to the board of appeals, see Chapter 16.30 of the Longmont Municipal Code.

16.04.080 Section 113 replaced--Violations

Section 113 of the International Existing Building Code is amended by the addition of the following:

113.1 Unlawful acts. It is unlawful for any person to erect, install, alter, repair, relocate, add to, replace, demolish, use, occupy or maintain any building or structure, or cause or permit the same to be done, in violation of this code.

113.2 Violation. Any person committing or permitting a violation of this code commits a separate offense for each day or part of a day during which the violation exists. Offenses are punishable according to Chapter 1.12 of the Longmont municipal code.

113.3 Violation penalties. Imposition of one penalty for any violation shall not excuse the violation nor permit it to continue, and all such persons shall correct or remedy such violations or defect within a reasonable time.

113.4 Prosecution of violation. In addition to any other penalties, any violation of this code is a public nuisance and shall be enjoined by a court of competent jurisdiction. Nothing in this code shall prevent the city attorney from seeking appropriate legal or equitable relief from any court of competent jurisdiction.

16.40.090 Section 307.1 amended--Conformance

Section 307.1 of the International Existing Building Code is amended by the removing the words “or within” in sentence one.

16.40.100 Section 701.3 amended--Compliance

Section 701.3 #4 of the International Existing Building Code is amended by the addition of the following:

Areas of existing basements with ceiling heights below 6’8” in height shall not be considered habitable space and are not subject to variances from the Master Board of Appeals. The Building Official may allow existing basements with ceiling height between 6’8” and 7’ to be finished and or occupied as habitable space provided there is no technically feasible solution to comply with the required ceiling height.

16.40.110 Section 704.2.2 amended--Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-2

Section 704.2.2 of the International existing Building Code is amended by deleting subsection 3. and including the following exception:

Exception: Work areas in Group R occupancies two stories or less in height and Group B other than ambulatory health care facilities.

16.40.120 Section 710.1 amended--Compliance with the building code

Section 710.1 of the International existing Building Code is amended with the addition at the end of the sentence with the following:

For increased demand for food handling or chemical waste see Section 910 of this code.

16.40.130 Section 902.1 amended--Minimum fixtures

Section 902.1 of the International existing Building Code is amended by addition of a new subsection to read as follows:

10. Ambulatory health care facilities.

16.40.140 Section 912.2.1 amended--Fire sprinkler system

Section 912.2.1 of the International existing Building Code is amended with the addition of the following sentence:

When within any 24 month period, renovation, remodeling, modification or additions to any existing occupancy exceeds 50% of the floor area, the entire occupancy shall comply with the requirements of Chapter 9 of the International Fire Code and Chapter 8 of the International Existing Building Code.

16.40.150 Section 912.2.1 amended--Fire sprinkler system

Section 912.2.1 of the International Existing Building Code is amended with by adding the following exception:

Exception: "Where the change of occupancy to a grade level Group A occupancy meets all of the following:

Area is less than 2,500 square feet.

Occupant load of the area is less than 100.

The entire area must be detected throughout with an automatic fire alarm and detection system.”

16.40.160 Section 1301.2 amended--Applicability

Section 1301.2 of the International Existing Building Code is amended by insertion of “March 1986” in brackets.